

2003 No. 2716

**POLICE, ENGLAND AND WALES
PENSIONS, ENGLAND AND WALES**

**The Police Pensions (Amendment) (No. 3)
Regulations 2003**

Made - - - - - 22nd October 2003
Laid before Parliament 24th October 2003
Coming into force - - 15th November 2003

The Secretary of State, in exercise of the powers conferred upon him by sections 1 to 7 of the Police Pensions Act 1976(a), with the consent of the Treasury(b), and after consultation with the Police Negotiating Board for the United Kingdom, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Pensions (Amendment) (No. 3) Regulations 2003 and shall come into force on 15th November 2003 but shall have effect from 1st April 2002(c).

(2) These Regulations extend to England and Wales only.

Amendment of the Police Pensions Regulations 1987

2. The Police Pensions Regulations 1987(d) shall be amended in accordance with the Schedule to these Regulations.

Home Office
14th October 2003

Caroline Flint
Parliamentary Under-Secretary of State

We consent to the making of these Regulations

22nd October 2003

Jim Murphy
John Heppell
Two of the Lords Commissioners of Her Majesty's Treasury

(a) 1976 c. 35; section 1 is amended by section 2(3) of the Police Negotiating Board Act 1980 (c.10), section 103 and paragraph 28 of Schedule 7 to the Police Act 1996 and section 1(1) of the Police and Firemen's Pensions Act 1997 (c.52). Functions under the Act as regards Scotland are transferred by S.I. 1999/1750, article 2 and Schedule 1.
(b) Formerly the Minister for the Civil Service: see S.I. 1981/1670.
(c) Retrospective effect is permitted by section 1(5) of the Police Pensions Act 1976.
(d) S.I. 1987/257; relevant amendments were made by S.I. 1998/577.

SCHEDULE

Regulation 2

AMENDMENT OF THE POLICE PENSIONS REGULATIONS 1987

1. In regulation A17 (retirement)—
 - (a) sub-paragraph (1)(f) is omitted; and
 - (b) paragraph (4) is omitted.
2. In regulation F3 (previous service reckonable without payment) sub-paragraph (1)(g) is omitted.
3. In regulation F8A (former police authority to provide certificate of the amount of pensionable service giving entitlement to pension)—
 - (a) for paragraph (1) there is substituted—

“(1) This regulation shall apply where, on or after 31st March 1996, a regular policeman—

 - (a) by reason of previous service in a police force becomes entitled to reckon pensionable service either—
 - (i) by virtue of regulation F3(1)(a), or
 - (ii) by virtue of regulation F5 in the circumstances mentioned in paragraph (2) of that regulation (including that paragraph as it has effect by virtue of paragraph (3) thereof), or
 - (b) has left a police force and joined the Police Service of Northern Ireland with such consent as is mentioned in regulation A17(2) and the police authority for Northern Ireland is contingently liable to make payments to him under the Police Service of Northern Ireland pensions legislation.”; and
 - (b) sub-paragraph (5)(c) is omitted.
4. Regulation J3A (transfers to the National Criminal Intelligence Service or the National Crime Squad: prevention of duplication of entitlement) is omitted.
5. In regulation K4 (withdrawal of pension during service as a regular policeman) sub-paragraph (1)(b) is omitted.
6. In Schedule A (glossary of expressions) the definition “police force” is omitted.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Pensions Regulations 1987, which provide for the superannuation of members of police forces, as they have effect in England and Wales.

These Regulations make a number of changes consequential on the implementation of section 126 of the Criminal Justice and Police Act 2001 (c.16) which made provision for the Director Generals and police members of the National Criminal Intelligence Service and National Crime Squad to become members of the Police Pension Scheme.

The amendments are backdated to 1st April 2002 as permitted by section 1(5) of the Police Pensions Act 1976.

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